IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION No. 2065 OF 2007

Lamuel David Sheferd Petitioner

Vs.

The Dy. Supt. of Prisons
Yerwada Central Prison,
Pune and Anr. Respondents

Mrs. Indrayani N. Kaparkar, advocate for the petitioner.

Mrs. U. V. Kejariwal, APP for respondents.

CORAM : SHRI R.M.S. KHANDEPARKAR
AND
SHRI A. A. SAYED, JJ.

DATE : DECEMBER 7, 2007.

P.C. [Per R.M.S. KHANDEPARKAR, J.]

. Heard. Refusal of furlough leave application by respondent No.1 is sought to he challanged by the present petition. Undisputedly, earlier leave was granted in 2003. Liberty granted under said order was misused by the petitioner, in as much as there was over-stay of 2 years and he had to be apprehended, as he failed to surrender after expiry of the leave period. In such

circumstances, no fault can be found in the order of rejecting the furlough leave. Hence, the petition is rejected.

Sd/-
[R.M.S. KHANDEPARKAR, J.]

Sd/-
[A. A. SAYED, J.]